

## **EXHIBIT 30**

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1 UNITED STATES DISTRICT COURT

2 NORTHERN DISTRICT OF OHIO

3 EASTERN DIVISION

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6 IN RE:

7 NATIONAL PRESCRIPTION MDL 2804  
8 OPIATE LITIGATION Case No. 1:17-md-2804

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11 Deposition of ERIC A. GRIFFIN,  
12 Witness herein, called by the Defendants for  
13 cross-examination pursuant to the Rules of Civil  
14 Procedure, taken before me, Christine Gallagher,  
15 a Notary Public and Registered Professional  
16 Reporter in and for the State of Ohio, at the  
17 Sheraton Columbus at Capitol Square, 75 East  
18 State Street, Judicial Board Room, Columbus,  
19 Ohio, on Wednesday, the 23rd day of January,  
20 2019, at 8:48 a.m.

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1 policies or procedures for responding to  
2 suspicious order reports that are submitted by  
3 distributors?

4 A. We do not have a written policy or  
5 procedure; however, they are reviewed  
6 periodically by a supervisor, and the most  
7 recent system set up will review them at the  
8 weekly intake meetings where we also review the  
9 complaints.

10 Q. Does a suspicious order report  
11 automatically trigger an investigation?

12 A. No, ma'am.

13 Q. In what circumstances would there  
14 not be an investigation?

15 A. Well, to give you an example, the  
16 majority of our suspicious order reports are  
17 for package sizes less than a quantity of four.  
18 I think roughly 75 percent are for a package  
19 size less than four and you need additional  
20 information from the wholesalers. We've  
21 requested additional information in the past  
22 and we've also opened an investigation based  
23 upon some suspicious orders in the past.

24 Q. So what does trigger an  
25 investigation?

1                   A. It would not because you don't --  
2 we don't know why the wholesaler is triggering  
3 it. You would have to find out from them what  
4 their suspicious order report policy and  
5 procedure is. We've had discussions with  
6 Cardinal in the past, you know, and sometimes  
7 with different wholesalers, and the fact that,  
8 again, it could just be a number that they've  
9 generated and the system automatically  
10 calculates or sends a suspicious order report,  
11 when in theory it's legitimate use.

12                  Q. So, for example, Cardinal has a  
13 suspicious monitoring -- let's take Cardinal  
14 out of it. A wholesaler has a suspicious  
15 monitoring software that, based on numbers,  
16 will automatically generate a suspicious order  
17 report?

18                  A. Right.

19                  Q. But it's not numbers alone. What  
20 you're saying is that just because there's a  
21 suspicious order report doesn't necessarily  
22 mean it really is a suspicious order?

23                  A. Correct.

24                  Q. Because you can't tell just based  
25 on the numbers --

1 A. We can't tell just by this  
2 document that this is a suspicious order.

3 Q. Are the requirements for  
4 investigating a suspicious order codified  
5 anywhere?

6 A. No, ma'am.

7                   Q.    We've talked a little bit about  
8 new rules and regulations and the board's role  
9 in proposing or passing various rules,  
10 regulations and legislation, correct?

11 A. Yes, ma'am.

12 (Thereupon, Defendants' Exhibit  
13 Number 14, State of Ohio Board of Pharmacy 3rd  
14 Quarter 2017 - Rule Update, was marked for  
15 purposes of identification.)

16 | BY MS. BROWNE:

17 Q. We'll mark as Exhibit 15 -- I beg  
18 your pardon, Exhibit 14 a printout from the BOP  
19 website. It's entitled 3rd Quarter 2017 - Rule  
20 Update.

21 A. Yes, ma'am.

22 Q. And it notes some of the rules  
23 effective this quarter are organized into these  
24 new divisions; for the rules that are  
25 rescinded, please refer to the last column to

1       questions that would be asked if you called a  
2       wholesale drug distributor?

3           A.    Why is it suspicious, did you cut  
4       off the -- did you cut off the pharmacy, are  
5       you still selling to them, why do you feel --  
6       did it deviate from their normal purchasing,  
7       was it a large quantity, what made this order  
8       suspicious in your system.

9           Q.    Have you, yourself, had any such  
10      conversations with wholesale drug distributors?

11          A.    I believe I have.

12          Q.    And this follow-up that you just  
13      described, was this beginning to occur in the  
14      2014/2016 time frame we were describing where  
15      you were doing more with them and putting them  
16      into digital form and all of that?

17          A.    I think it would have been more --  
18      it would have probably been 14/15-ish.

19          Q.    Do I understand your testimony  
20      correctly that there has not been an instance  
21      where an investigation was triggered by a  
22      suspicious order report alone, just the number  
23      report that came in, you always did follow-up?

24          A.    Yeah, not without an initial  
25      contact.  We're going to call and find out.